

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL M. MORGAN,

Plaintiff,

-against-

SCOTT HARTMAN, ET AL.,

Defendants.

22-CV-3501 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is appearing *pro se*, brings this action under the Court's federal question jurisdiction. Plaintiff has previously submitted to this Court a substantially similar complaint against the same defendants. That case is presently pending in this Court under docket number 22-CV-3367 (LTS).¹ As this complaint raises the same claims, no useful purpose would be served by litigating this duplicate lawsuit. Therefore, this complaint is dismissed without prejudice to Plaintiff's pending case under docket number 22-CV-3367 (LTS).

CONCLUSION

Plaintiff's complaint is dismissed without prejudice as duplicative of 22-CV-3367 (LTS). The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: May 2, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge

¹ By order dated April 26, 2022, in *Morgan*, No. 1: 22-CV-3367, 2, the Court directed Plaintiff, within 30 days, to pay the filing fee or apply to proceed *in forma pauperis*.